

DECLARATION AND POWER OF ATTORNEY  
Pursuant to 37 C.F.R 1.63 and 1.67

As a below named inventor, I hereby declare that:  
My residence, post office address and citizenship are as stated below next to my name; and  
I believe that I an inventor of the subject matter of a patent application entitled:

**METHOD AND APPARATUS FOR PROVIDING DATA FOR SAMPLE RATE CONVERSION**

The specification for the patent application (check one):

- ☒ is attached hereto.
- ☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).
- ☐ was filed as PCT International Application No. PCT/ \_\_\_\_\_ on \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).
- ☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_  
and was issued a Notice of Allowance on \_\_\_\_\_

I hereby state that I have reviewed and understood the contents of the above identified patent application, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this patent application as defined in 37 C.F.R. Section 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 C.F.R. Section 1.56 which became available between the filing data of the prior application and the national or PCT international filing date of this CIP application.

I hereby claim foreign priority benefits under 35 U.S.C. Sections 119 and 365 of any foreign application(s) for patent(s) or inventor's certificate(s) listed below. I have also identified below any foreign application(s) for patent(s) or inventor's certificate(s) filed by me or my assignee which: disclose the subject matter claimed in this patent application; and have a filing date that is either: (1) before the filing date of the application on which my priority is claimed; or, (2) before the filing date of this application when no priority is claimed:

Prior Foreign Patents

(list number, country, filing date MDY, date laid open, date granted or patented)

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I hereby claim the benefit under 35 U.S.C. Sections 120 and 365 of any United States application(s) listed below and PCT international application(s) listed below:

Prior U.S. or PCT Applications

| Application No.      | Mo/Day/Yr Filed      | Status               |
|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

I hereby appoint Timothy W. Markison, Registration No. 33,534 of SigmaTel Inc., 3815 S. Capital of Texas Highway, Suite 300, Austin, Texas 78704 as my attorney, with full power of substitution and revocation, to prosecute this patent application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities under the Patent Cooperation Treaty, and I hereby authorize him to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

SigmaTel, Inc.,  
3815 S. Capital of Texas Hwy.  
Suite 300  
Austin, Texas 78704  
Phone: (512) 381-3771  
Fax: (512) 381-4125  
Customer No: 000024263

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this patent application or any patent issued thereon.

Inventor(s)

|   |                    |  |
|---|--------------------|--|
| May Michael R.<br>1213 Shannon Oaks Tr.<br>Austin Texas 78746     | citizen of:<br>USA | Signature: <u>Michael R. May</u><br>Date: <u>2/7/01</u>    |
| Cabler Carlin D.<br>12101 Corner Brook Pass<br>Austin Texas 78739 | citizen of:<br>USA | Signature: <u>Carlin D. Cabler</u><br>Date: <u>2-12-01</u> |
|   | citizen of:        | Signature: _____<br>Date: _____                            |
|   | citizen of:        | Signature: _____<br>Date: _____                            |
|   | citizen of:        | Signature: _____<br>Date: _____                            |
|   | citizen of:        | Signature: _____<br>Date: _____                            |

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael R. May et al. Examiner:  
 Serial No. Art Group:  
 Filing Date: Docket No. SIG000063  
 Title: METHOD AND APPARATUS FOR PROVIDING DATA FOR SAMPLE RATE CONVERSION

To the Honorable Commissioner  
 of Patents and Trademarks  
 Washington, D.C. 20231

2/7/2001  
 2/13/01

STATEMENT OF STATUS AS SMALL ENTITY  
 Pursuant to 37 C.F.R. Section 1.27 and Section 1.9

For the above captioned patent application, a party in interest avers that it qualifies for small entity status as SMALL BUSINESS CONCERN. To verify the small entity status, the party in interest attests that:

1. This verified statement for the above captioned patent application or patent is being submitted prior to or with the first fee paid as a small entity;
2. For purposes of this verified statement, as defined in 37 C.F.R. Section 1.27, a license to a Federal agency resulting from a funding agreement with that agency pursuant to 35 U.S.C. 202 (c) (4) does not constitute a license.
3. As a SMALL BUSINESS CONCERN:
  - (a) I swear that I am an official of SigmaTel, Inc., empowered to act on behalf of SigmaTel, Inc.,
  - (b) In my capacity as identified in this section 3(a), I swear that SigmaTel, Inc. qualifies as a small business concern as defined in 37 C.F.R Section 1.9 and that the number of employees of SigmaTel, Inc. and those of its affiliates, does not exceed 500 persons;
  - (c) I further swear that my signature appears at the end of this Statement of Status as Small Entity;
  - (d) I still further swear that, in support my of contention that SigmaTel, Inc. qualifies as a small business concern, exclusive rights to the invention of the above captioned patent application have been conveyed to and remain with SigmaTel, Inc.,

Signatures of Person(s) Making the Verified Statement

SigmaTel, Inc. (Customer No:000024263)

Name: Alan D. Green

Signature

Title: Associate General Counsel

Date

2/13/2001

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